

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Jean-Luc Grand-Clement,

NO. C 04-04956 JW

Plaintiff,

v.

Lafayette Software, Inc.,

**ORDER GRANTING MOTION FOR
TEMPORARY PROTECTIVE ORDER
AND WRIT OF ATTACHMENT;
ORDER TO SHOW CAUSE**

Defendant(s).

The Court having considered the motion of Plaintiff, Jean-Luc Grand-Clement for Temporary Protective Order and Writ of Attachment, there being no opposition to the granting of said motion, and the Court finding good cause therefor,

The Court issues the following FINDINGS:

1. The Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332;
2. The claim is one upon which an attachment may be issued;
3. Plaintiff has established the probable validity of the claim;
4. The attachment is not sought for a purpose other than the recovery on the claim;
5. The amount to be secured by the attachment is greater than zero;
6. The property sought to be attached is not exempt from attachment.

IT IS HEREBY ORDERED, that the Motion of Plaintiff, Jean-Luc Grand-Clement, for a Temporary Protective Order and Writ of Attachment is GRANTED. Defendant, Lafayette Software,

1 Inc. and Olivier Bedouelle, Official Receiver in charge of the Court-Ordered Liquidation of Lafayette
2 Software, Inc., now pending in the Tribunal de Commerce de Versailles, their agents, attorneys, and
3 representatives are hereby ordered not to distribute the proceeds from the sale of the assets of
4 Lafayette Software, Inc. and to deliver said assets to the US Marshals or the Court, pending final
5 disposition of this claim.

6 The Court hereby orders the parties to appear in Courtroom No. 8, 4th Floor, United States
7 District Court, 280 South First Street, San Jose, Ca. on November 7, 2005 at 9:00 a.m. to show cause,
8 if any, why the temporary protective order should not be extended to a preliminary injunction for the
9 duration of the present litigation.

10 Dated: October 17, 2005

11 04cv4956attach

/s/ James Ware
JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 C. Laine Lucas lainelucas@bindermalter.com
3 Gayle Zickgraff Green gayle@bindermalter.com
4 James L. Day jim.day@lw.com
5 Risha Nickelle Jamison risha.jamison@lw.com

6 **Dated: October 7, 2005**

Richard W. Wieking, Clerk

7 **By: _____/s/ JW Chambers__**
8 **Ronald L. Davis**
9 **Courtroom Deputy**